

MAY 21 2001

Docket No.

Q041

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

A FULLY IMPLANTABLE INTRACRANIAL PHOTO APPLICATOR FOR LONG TERM FRACTIONATED PHOTODYNAMIC AND RADIATION THERAPY IN THE BRAIN AND METHOD OF USING THE SAME

the specification of which

(check one)

is attached hereto.

was filed on _____ as United States Application No. or PCT International

Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

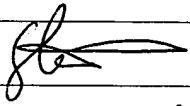
Daniel L. Dawes, Reg. No. 27,123
 Richard L. Myers, Reg. No. 26,490
 Joseph C. Andras, Reg. No. 33,469
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Direct Telephone Calls to: (name and telephone number)
 Daniel L. Dawes 714-444-1199

Full name of sole or first inventor Henry Hirschberg, M.D., Ph.D.	Date <i>3/12/01</i>
Sole or first inventor's signature <i>Henry Hirschberg</i>	
Residence <i>Barksjøt Frølich's gt 2. Oslo 0454 Norway.</i>	
Citizenship <i>U.S.A.</i>	
Post Office Address 	

Full name of second inventor, if any Bruce J. Tromberg, Ph.D.	Date <i>3/12/01</i>
Second inventor's signature <i>Bruce J. Tromberg</i>	
Residence <i>USA 16 Zola Court Irvine, CA 92612</i>	
Citizenship <i>USA</i>	
Post Office Address 	

Full name of third inventor, if any	3/12/01
Steen Madsen, Ph.D.	Date
Third inventor's signature	
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Citizenship	CANADA
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

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the specification of which

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and was amended on _____
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Prior Foreign Application(s)

Priority Not Claimed

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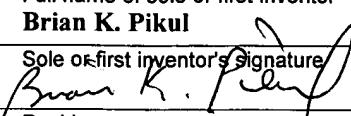
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Full name of sole or first inventor Brian K. Pikul
Sole or first inventor's signature 
Date 5/8/81
Residence
Citizenship
Post Office Address

Full name of second inventor, if any
Second inventor's signature
Date
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Citizenship
Post Office Address

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Third inventor's signature
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Citizenship
Post Office Address

Full name of fourth inventor, if any
Fourth inventor's signature
Date
Residence
Citizenship
Post Office Address